

PUBLIC PROTECTION CABINET
Department of Insurance
Division of Health and Life Insurance and Managed Care
(As Amended at ARRS, September 14, 2021)

806 KAR 017:511. Repeal of ~~[806 KAR 17:005,]~~ 806 KAR 17:095, 806 KAR 17:170, ~~[806 KAR 17:180,]~~ and 806 KAR 17:510.

RELATES TO: KRS 304.12-080(3), 304.12-085(2), (3), (4)~~[304.17A-149]~~, 304.14-120, 304.14-190, 304.17A-080, 304.17A-095, 304.17A-096, 304.17A-149, 304.17A-600-304.17A-629, ~~[304.12-085(2), (3), (4),]~~ 304.17A-200(1)(f), 304.17A-220(8)(d), 304.17A-230(3), ~~[304.17A-080,]~~ 304.17A-250, ~~[304.12-080(3), 304.14-120(1), 304.17A-250(10),]~~ 304.17A-505, 304.17A-540, 304.17A-600 -304.17A-633, 304.17B-015, 304.38-050

STATUTORY AUTHORITY: KRS ~~[13A.310,]~~ 304.2-110(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110 authorizes the Commissioner of the Department of Insurance to promulgate administrative regulations to aid in the effectuation of any provision of the Insurance Code, as defined in KRS 304.1-010. ~~[KRS 13A.310 requires that an administrative regulation, once adopted, cannot be withdrawn, but shall be repealed if it is desired that it no longer be effective. The intent of]~~ This administrative regulation ~~repeals~~~~[is to repeal 806 KAR 17:005,]~~ 806 KAR 17:095, 806 KAR 17:170, ~~[806 KAR 17:180,]~~ and 806 KAR 17:510. ~~[806 KAR 17:005, Health insurance forms and reports, because the forms incorporated in the regulation are currently being incorporated into the corresponding regulation to which they apply.]~~ 806 KAR 17:095, Reimbursement for general anesthesia and facility charges for dental procedures, ~~is~~~~[shall be]~~ repealed because it removes limitations of provider's rights under KRS 304.17A-149 ~~[prescribes the same or similar requirements]~~. 806 KAR 17:170, Genetic testing, ~~is~~~~[shall be]~~ repealed because the administrative regulation is now obsolete, as when it was originally promulgated the terms defined in the regulation were emerging, and now they are considered of common dictionary meaning. ~~[806 KAR 17:180, Standard health benefit plan, shall be repealed as the statute no longer requires the standard plan to be issued by insurers.]~~ 806 KAR 17:510, Health benefit plan exclusionary rider requirements, ~~is~~~~[shall be]~~ repealed because exclusionary riders are no longer permitted due to the federal law requirements related to essential health benefits that are required to~~[must]~~ be covered under all plans.

Section 1. The following administrative regulations are hereby repealed:

- (1) ~~[806 KAR 17:005, Health insurance forms and reports;~~
- ~~(2)]~~ 806 KAR 17:095, Reimbursement for general anesthesia and facility charges for dental procedures;
- ~~(2)]~~~~(3)]~~ 806 KAR 17:170, Genetic testing; and
- ~~(3)]~~~~(4)]~~ 806 KAR 17:180, Standard health benefit plan; and
- ~~(5)]~~ 806 KAR 17:510, Health benefit plan exclusionary rider requirements.

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